

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Patrice Cardine  
Serial No.: 10/511,119  
Filed: March 17, 2005  
Group Art Unit: 3634  
Examiner: Redman, Jerry E.  
Title: BRACKET FOR WINDOW REGULATOR, WINDOW  
REGULATOR AND VEHICLE BODY

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Dear Commissioner:

In response to the Office Action mailed March 4, 2010, Applicant respectfully submits a pre-appeal brief request for review. This request is filed with a Notice of Appeal. As will be explained in further detail, the review is requested for the reasons set forth below.

- I. Claims 2-10, 12, 15, 17, 19, 21 and 23-29 were improperly rejected under 35 U.S.C. 102(b) as being unpatentable over Rieder (EP 0262283).

**ARGUMENTS**

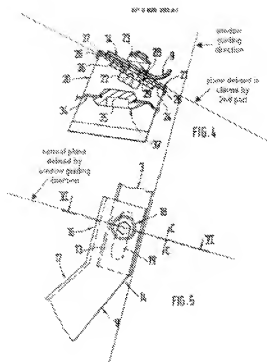
Claims 2-10, 12, 15, 17, 19, 21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Rieder (EP 0262283). Rieder does not disclose a lug including a second part defining a plane for fixing to a vehicle body and a screwing direction that is a normal line substantially perpendicular to the plane that is inclined relative to a window-guiding direction. The Examiner is calling the parts 15 and 21 the second part. The claimed invention recites that the guide rail defines the window-guiding direction.

In Rieder, the window-guiding direction is always parallel to the screwing direction. As shown in Applicant's annotated Figures 2, the left dotted line represents the window-guiding direction, and the right dotted line represents the screwing direction. As further shown in Applicant's annotated Figure 3, the right dotted line represents the window-guiding direction,

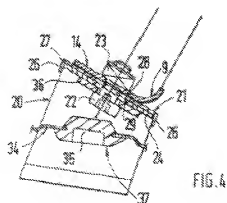


FIG. 3

3



Applicant's annotated Figure 4 is reproduced below. The window guiding direction (extrapolated from the element 9 which leads to the guide rail 3) is parallel to the line normal to the parts 15 and 21 (which the Examiner is calling the second part) that defines the screwing direction, which his further shown in Applicant's annotated Figure 3.



Finally, Claim 1 of the issued claims of EP 0626283 B1 also supports Applicant's argument. Claim 1 (lines 47 to 48) cites that the abutment face 24 of holding bracket 20 is orientated at a right angle to the guide rail 3. The abutment face 24 is parallel to the parts 15 and 21. As the bolt 22 is received in the abutment face 24, the bolt 22 is at a perpendicular to the abutment face 24 and therefore parallel to the guide rail 3.

### **CLOSING**

For the above reasons, the rejection of the claims should be reversed.

No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C, for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,  
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Dated: June 22, 2010